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PTO/SB/21 (02-04)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/735,111	
	Filing Date	December 12, 2003	
	First Named Inventor	Thomas M. Baer	
	Art Unit	2877	
	Examiner Name	Tu T. NGUYEN	
Total Number of Pages in This Submission	12+8ref	Attorney Docket Number	ARC012002501

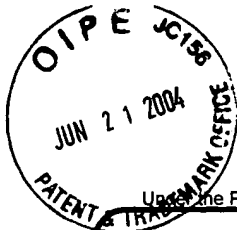
ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	- PTO/1449 - 1 page
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	- PTO/1449 - 6 pages
<input type="checkbox"/> Certified Copy of Priority Document(s)	Remarks	- Return Postcard
<input type="checkbox"/> Response to Missing Parts/Incomplete Application		- 8 references
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Rimas T. Lukas (Reg. No. 46,451)
Signature	
Date	June 17, 2004

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Rimas T. Lukas		
Signature		Date	June 17, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 180

Complete if Known

Application Number	10/735,111
Filing Date	December 12, 2003
First Named Inventor	Thomas M. Baer
Examiner Name	Tu T NGUYEN
Art Unit	2877
Attorney Docket No.	ARC012002501

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account:

Deposit
Account
Number
Deposit
Account
Name

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments

☐ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** =	X	
Multiple Dependent	-3** =	X	

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	180
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 180

SUBMITTED BY

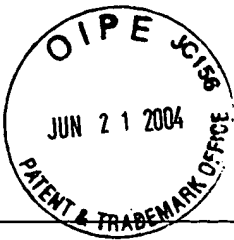
(Complete if applicable)

Name (Print/Type)	Rimas T. Lukas	Registration No. (Attorney/Agent)	46,451	Telephone	650-560-0076
Signature		Date	June 17, 2004		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

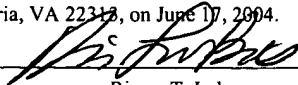
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PATENT
Docket No. ARC012002501

CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

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Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313, on June 17, 2004.


Rimas T. Lukas

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Thomas M. Baer et al.

Serial No.: 10/735,111

Filing Date: December 12, 2003

For: AUTOMATED LASER CAPTURE
MICRODISSECTION

Examiner: Tu T. NGUYEN

Group Art Unit: 2877

**SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the document listed on the attached Forms PTO-1449. One of the PTO-1449 forms (6 pages) contains only art that was previously cited in the parent application. Copies of the documents were previously submitted in an Information Disclosure Statement and/or Office Action, directed to the related application Serial Number 09/707,313, filed November 6, 2000, and, accordingly, copies are not included herewith. This protocol conforms with 37 C.F.R. § 1.98(d) and M.P.E.P. 609(A)(2). Copies of the documents listed on the second

06/24/2004 BABRAHA1 00000034 10735111

01 FC:1806

180.00 OP

PTO-1449 are also submitted herewith. The Examiner is requested to make these documents of record.

This Information Disclosure Statement is submitted:

- ☐ With the application; accordingly, no fee or separate requirements are required.
- ☐ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required.
- ☒ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
 - ☒ A fee is required. A check in the amount of \$180 is enclosed.
 - ☐ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly, no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a check in the amount of * is enclosed.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.

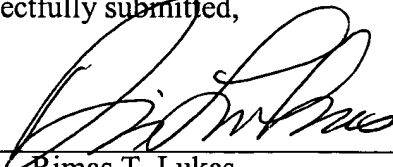
Applicants would appreciate the Examiner initialing and returning the Forms PTO-1449, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time.

Dated: June 17, 2004

Respectfully submitted,

By: 
Rimas T. Lukas
Registration No. 46,451

Lukas IP Group
P.O. Box 3295
Half Moon Bay, CA 941019
Telephone: (650) 560-0076
Facsimile: (650) 897-9944

Form PTO-1449

Docket Number: ARC0120025.01

Application Number: 10/735,111

INFORMATION DISCLOSURE CITATION IN AN APPLICATION

(Use several sheets if necessary)

Applicant

Thomas M. Baer et al.

Filing Date: December 12, 2003

Group Art Unit 2877

Mailing Date: June 17, 2004

U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
	1.	08/01/1972	3,680,947	Wanesky			
	2.	12/12/1972	3,705,769	Johannsmeier			
	3.	11/19/1974	3,848,962	Nelson			
	4.	07/01/1980	4,210,384	Meyer et al.			
	5.	12/01/1981	4,303,866	Porro et al.			
	6.	06/08/1982	4,333,983	Allen			
	7.	03/13/1984	4,436,385	Fischer et al.			
	8.	04/02/1985	4,508,435	Graham et al.			
	9.	04/09/1985	4,509,834	Hodgson			
	10.	09/03/1985	4,538,885	Graham et al.			
	11.	11/12/1985	4,552,033	Märzhäuser			
	12.	07/15/1986	4,600,282	Yamamura et al.			
	13.	09/30/1986	4,614,431	Komeyama			
	14.	11/18/1986	4,623,839	Garretson et al.			
	15.	12/02/1986	4,627,009	Holmes et al.			
	16.	06/16/1987	4,673,261	Hunt et al.			
	17.	08/04/1987	4,684,781	Frish et al.			
	18.	10/27/1987	4,702,565	Schilling et al.			
	19.	03/15/1988	4,731,530	Mikan			
	20.	02/28/1989	4,807,984	Kurimura et al.			
	21.	04/25/1989	4,824,229	Narita et al.			
	22.	06/06/1989	4,836,667	Ozeki			
	23.	08/01/1989	4,852,985	Fujihara et al.			
	24.	08/15/1989	4,856,873	Kleinberg			
	25.	10/03/1989	4,871,245	Ishikawa et al.			
	26.	04/24/1990	4,920,053	Inoue et al.			

EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.



Form PTO-1449

INFORMATION DISCLOSURE CITATION
IN AN APPLICATION

(Use several sheets if necessary)

Docket Number: ARC0120025.01

Application Number: 10/735,111

Applicant

Thomas M. Baer et al.

Filing Date: December 12, 2003

Group Art Unit 2877

Mailing Date: June 17, 2004

	27.	05/08/1990	4,923,294	Courtenay			
	28.	09/04/1990	4,954,715	Zöld			
	29.	10/23/1990	4,964,708	Mason			
	30.	01/22/1991	4,987,006	Williams et al.			
	31.	02/12/1991	4,992,660	Kobayashi			
	32.	05/21/1991	5,017,428	Mecke et al.			
	33.	07/09/1991	5,029,791	Ceccon et al.			
	34.	10/15/1991	5,057,689	Nomura et al.			
	35.	12/31/1991	5,077,620	Mauro			
	36.	02/18/1992	5,089,909	Kleinberg			
	37.	04/07/1992	5,103,338	Crowley et al.			
	38.	06/30/1992	5,126,877	Biber			
	39.	09/01/1992	5,143,552	Moriyama			
	40.	11/10/1992	5,162,941	Favro et al.			
	41.	11/24/1992	5,165,297	Krueger			
	42.	12/22/1992	5,173,802	Heller			
	43.	12/22/1992	5,173,803	Heller			
	44.	07/06/1993	5,225,326	Bresser et al.			
	45.	10/12/1993	5,253,110	Ichihara et al.			
	46.	11/16/1993	5,262,891	Nakasato			
	47.	11/23/1993	5,263,384	Suzuki			
	48.	01/18/1994	5,280,384	Shibasaki			
	49.	02/22/1994	5,288,996	Betzig et al.			
	50.	03/22/1994	5,296,963	Murakami et al.			
	51.	03/29/1994	5,298,963	Moriya et al.			
	52.	05/17/1994	5,312,393	Mastel			
	53.	06/21/1994	5,323,009	Harris			
	54.	08/09/1994	5,337,178	Kung et al.			
	55.	09/06/1994	5,345,333	Greenberg			
	56.	10/18/1994	5,357,366	Marchlenski			
	57.	10/25/1994	5,359,417	Müller et al.			

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DATE CONSIDERED:

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Application Number: 10/735,111

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Thomas M. Baer et al.

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Group Art Unit 2877

Mailing Date: June 17, 2004

	58.	11/22/1994	5,367,401	Saulietis			
	59.	01/03/1995	5,378,675	Takeyama et al.			
	60.	01/31/1995	5,386,112	Dixon			
	61.	02/28/1995	5,393,647	Neukermans et al.			
	62.	04/04/1995	5,403,970	Aoki			
	63.	05/02/1995	5,412,503	Nederlof			
	64.	05/30/1995	5,420,716	Fukaya			
	65.	07/18/1995	5,434,703	Morizumi			
	66.	09/12/1995	5,450,233	Yamamoto et al.			
	67.	10/03/1995	5,455,420	Ho et al.			
	68.	11/21/1995	5,468,967	Chan et al.			
	69.	11/28/1995	5,471,260	Luce et al.			
	70.	12/26/1995	5,479,252	Worster et al.			
	71.	02/20/1996	5,492,861	Opower			
	72.	04/02/1996	5,504,366	Weiss et al.			
	73.	04/09/1996	5,506,725	Koike et al.			
	74.	04/23/1996	5,510,615	Ho et al.			
	75.	05/14/1996	5,517,353	Ikoh et al.			
	76.	07/02/1996	5,532,128	Eggers et al.			
	77.	07/02/1996	5,532,476	Mikan			
	78.	07/02/1996	5,532,873	Dixon			
	79.	07/09/1996	5,535,052	Jörgens			
	80.	07/16/1996	5,536,941	Swann			
	81.	07/23/1996	5,537,863	Fujiu et al.			
	82.	09/03/1996	5,552,928	Furuhashi et al.			
	83.	09/17/1996	5,556,790	Pettit			
	84.	09/17/1996	5,557,456	Garner et al.			
	85.	09/24/1996	5,558,329	Liu			
	86.	09/24/1996	5,559,329	Joseph et al.			
	87.	11/26/1996	5,578,832	Trulson et al.			
	88.	12/24/1996	5,587,748	Luce et al.			

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DATE CONSIDERED:

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Group Art Unit 2877

Mailing Date: June 17, 2004

89.	12/24/1996	5,587,833	Kamentsky			
90.	02/04/1997	5,598,888	Sullivan et al.			
91.	02/11/1997	5,602,674	Weissman et al.			
92.	04/08/1997	5,619,035	Weiss et al.			
93.	04/15/1997	5,621,207	O'Mara			
94.	05/20/1997	5,631,734	Stern et al.			
95.	06/10/1997	5,638,206	Sumiya et al.			
96.	08/19/1997	5,659,421	Rahmel et al.			
97.	01/13/1998	5,707,801	Bresser et al.			
98.	03/17/1998	5,728,527	Singer et al.			
99.	05/12/1998	5,751,839	Drocourt et al.			
100.	12/01/1998	5,843,644	Liotta et al.			
101.	12/01/1998	5,843,657	Liotta et al.			
102.	01/12/1999	5,859,699	Baer et al.			
103.	01/04/2000	6,010,888	Liotta et al.			
104.	02/06/2001	6,184,973 B1	Baer et al.			
105.	03/20/2001	6,204,030 B1	Liotta et al.			
106.	04/10/2001	6,215,550 B1	Baer et al.			
107.	02/04/1998	USSN 09/018,452	Baer et al.			
108.	07/23/1998	USSN 09/121,677	Baer et al.			
109.	07/23/1998	USSN 09/121,691	Baer et al.			
110.	07/17/2000	USSN 09/617,742	Baer et al.			
111.	11/03/2000	USSN 09/706,332	Baer et al.			

FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES NO	
	112.	08/29/1975	CH 566 015	Switzerland			Abstract	
	113.	08/14/1997	DE 196 03 996	Germany			Abstract	
	114.	05/30/1991	WO 91/07683	WIPO				
	115.	02/03/1994	WO 94/02646	WIPO				

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Application Number: 10/735,111

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Thomas M. Baer et al.

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Group Art Unit 2877

Mailing Date: June 17, 2004

	116.	09/08/1995	WO 95/23960	WIPO				
	117.	11/16/1995	WO 95/30919	WIPO				
	118.	04/17/1997	WO 97/13838	WIPO				
	119.	08/13/1998	WO 98/35216	WIPO				
	120.	04/22/1999	WO 99/19341	WIPO				
	121.	09/10/1999	WO 99/45094	WIPO				
	122.	06/15/2000	WO 00/34756	WIPO				
	123.	06/15/2000	WO 00/34757	WIPO				

OTHER DOCUMENTS

(including author, title, Date, Pertinent Pages, Etc.)

Examiner Initials	Ref. No.	Title
	124.	Allred, D. Craig and Mohsin, Syed K. (2000). "Biological features of human premalignant breast disease," Chapter 24 in <u>Disease of the Breast</u> , 2nd ed., Jay R. Harris, ed., Lippicott Williams & Wilkins: Philadelphia, pp. 355-366.
	125.	Ashkin, A. and Dziedzic, J.M. (1989). "Internal cell manipulation using infrared laser traps," 86:7914-7918.
	126.	Bonner, Robert F. et al. (November 21, 1997). "Laser capture microdissection: Molecular analysis of tissue," <i>Science</i> 278:1481-1482.
	127.	Emmert-Buck, Michael R. et al. (1996). "Laser capture microdissection," <i>Science</i> 274:998-1001.
	128.	Friend, Tim (Aug. 5, 1997). "Getting up close to cancer genes," printed in <i>USA Today</i> newspaper, Science section, page 4D.
	129.	Fukui, K. et al. (June 1992). "Microdissection of plant chromosomes by argon-ion laser beam," <i>Theoretical & Applied Genetics</i> 84:787-791.
	130.	Goldstein, Seth R. et al. (1998). "Thermal modeling of laser capture microdissection," <i>Applied Optics</i> 37(31):7378-7391.
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	Applicant Thomas M. Baer et al.	
	Filing Date: December 12, 2003	Group Art Unit 2877
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